

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 MONICA HECKATHORN,

4 Plaintiff

5 v.

6 BODEGA LATINA CORPORATION,

7 Defendant

Case No.: 2:17-cv-00703-APG-NJK

Order Rejecting Proposed Pretrial Order

[ECF No. 27]

8 The parties' proposed Joint Pretrial Order (ECF No. 27) does not comply with Local
9 Rules 16-3 and 16-4. For example, in their exhibit lists, the parties include what appears to be
10 every document that has been produced in this case. In their respective witness lists, they
11 include what appears to be every witness identified in discovery. The parties apparently have not
12 bothered to think about the documents and witnesses they actually intend to use at trial.

13 Both parties' witness lists include several witnesses identified as "30(b)(6)" or "Person
14 Most Knowledgeable." The parties should know by now the names of the witnesses they intend
15 to present at trial. If those witnesses were not identified during discovery, they cannot be called
16 at trial.

17 Finally, the section titled "Action By The Court" does not match what is required in
18 Local Rule 16-4.

19 Local Rules 16-3 and 16-4 are designed to streamline the trial preparation and
20 presentation, and to foster settlement. The parties cannot simply wait to make trial decisions
21 until the eve of trial. If they do, they cannot conduct effective settlement discussions. It is
22 apparent from the proposed Joint Pretrial Order that the parties ignored the spirit, purpose, and
23 language of Local Rule 16-3. I reject the proposed order and direct the parties to confer and

1 submit a new proposed joint order addressing these identified problems and complying with
2 Local Rules 16-3 and 16-4.

3 IT IS ORDERED that the parties' Joint Pretrial Order (**ECF No. 27**) is **REJECTED**.
4 The parties shall personally confer as required in Local Rule 16-3, and submit a Joint Pretrial
5 Order that complies with Local Rule 16-4 by May 7, 2019.

6 DATED this 16th day of April, 2019.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE